

[SPECIAL DISPATCH TO THE JOURNAL.]

FROM RALEIGH.

IMPEACHMENT.

THE TRIAL OF GOVERNOR HOLDEN.

IMPORTANT REPORT OF THE JUDICIARY COMMITTEE.

Upon the call of reports from the committee this morning in the House of Representatives, Mr. Sparrow, chairman of the Judiciary Committee, to whom was referred, on the 9th of December last, the following resolution, namely:

"Resolved, That William W. Holden, Governor of North Carolina, be impeached of high crimes and misdemeanors in office."

Have considered the same and submit the following report:

That William W. Holden, Governor of North Carolina, unfaithful of his oath of office, did, in July last, organize, arm and equip a military force not recognized by and in subversion of the Constitution of the State of North Carolina; which military force, so unlawfully organized, was not kept under subordination to, and governed by, the civil power, but was, by the order of the said William W. Holden, Governor as aforesaid, made paramount to, and subversive of, the civil authority.

That the said William W. Holden, Governor as aforesaid, did, in the month of July and August last, without lawful warrant and authority, and in defiance and subversion of the Constitution, arrest and imprison many of the peaceable and law-abiding citizens of the State, depriving them of their liberties and privileges, and certain of said citizens so unlawfully arrested and imprisoned, did cause to be subjected to cruel and unusual punishments.

That the said William W. Holden, Governor as aforesaid, denied to citizens unlawfully restrained of their liberty by his authority, all remedy to inquire into the lawfulness thereof, and in defiance of the Constitution, he suspended the privileges of the writ of *Habeas Corpus*, claiming that he was governed by a supreme law whereby he could deny the privileges of the said writ when in his opinion the safety of the State required it. In view of the matter herein set forth, containing historical facts with statements contained in public documents and the records of the Public House of Representatives, the undersigned, members of the committee, who are a majority thereof, are of the opinion that William W. Holden, Governor of the State of North Carolina, be impeached of high crimes and misdemeanors.

They therefore recommended to the House the adoption of the accompanying resolution.

(Signed)

T. F. KENNEDY,

U. W. BRIDGES,

W. P. MCGEE,

S. A. ASHE,

JOHN A. STANFORD,

GEORGE W. GREGORY,

HENRY T. JORDAN,

J. W. DUNHAM,

R. P. WALKER,

JAMES G. FOGG,

W. W. WATSON,

DAVID BETTLE,

FRED N. STREIBER,

C. M. McCATLEY,

T. D. JOHNSON.

Resolved, That William W. Holden, Governor of the State of North Carolina, be impeached of high crimes and misdemeanors in office.

Resolved, That a committee of two be appointed to go to the Senate and at the Bar thereof, in the name of the House of Representatives, and of all the people of the State of North Carolina, to impeach W. W. Holden, Governor of the State of North Carolina, of high crimes and misdemeanors in office and acquit the Senate that the House of Representatives will, in due time, exhibit particular articles of impeachment against him and make good the same, and that the committee do demand that the Senate take order for the appearance of said W. W. Holden, Governor as aforesaid, to answer the said impeachment.

Resolved, That a committee of seven be appointed to prepare and report articles of impeachment against W. W. Holden, Governor as aforesaid, with power to send for persons and papers and Records, and to take testimony under oath.

LATER.

The impeachment resolution was called up today by Mr. Sparrow. The radicals opposed its adoption, the moderate members making extended speeches. Discovering their weakness, they attempted to defeat the resolution by filibustering. Motion to lay on the table and to postpone were made in vain. The previous question being called, the impeachment resolution was passed by a vote of 60 to 42.

To-morrow a committee will be sent to the Senate asking the arraignment of the Governor, and also one to prepare particular articles of impeachment.

The Chief Justice will be sent for immediately and the trial begun after proper time is allowed the Governor for preparation.

The people of North Carolina will be glad that their Representatives are about to bring the Governor to trial for his enormous crimes in office. His origin here has asked this trial, the Governor himself has asked for it, and the people demand it. The deliberation which has characterized the House of Representatives in their action is in keeping with the position which the members occupy and the grave and responsible duties devolving upon them. Their delay has not been owing to any doubts in regard to the guilt of the Governor, or their duty in the premises, but from the deliberation due a question of such great importance. The work has now been fairly inaugurated, and will be pushed to the end. The JOURNAL has been stout in its efforts to bring Governor Holden to trial. We have expressed our opinion frequently, and firmly in regard to his criminal conduct. He is now about to be put upon his trial. We are willing to abide by the evidence produced and the decision of the Senate. Let him be judged by his deeds, and let justice be meted out to him without reference to the bitter prejudices against the individual or regard for his official position.

E.

Holden and Smith.

The experience of Governor Holden in North Carolina, and of Governor Smith in Alabama, should teach factions Radicalism a lesson. It is, that when the people speak, they must be obeyed. Holden attempted to override the law in this State and the people rebuked him. Smith attempted to retain the gubernatorial Chair in Alabama, in violation of the popular vote, and he has been compelled, by legal process, to withdraw his claims. Holden will be impeached and Smith should be indicted for high treason against the Commonwealth of Alabama.

Let a colored man vote the straight Radical ticket and he is politely spoken of as a "colored citizen." Let him vote with the Democrats and he is straightaway a "nigger."

The Chicago Times states that the aggregate of Democratic gains in the recent election in Illinois amounts to over 41,000. In a few counties there are small Democratic losses and corresponding Radical gains, but the aggregate of these is too small to alter the great significance of the general fact.

The qualifications of a legal voter in New Hampshire, as specified by an early law, were the following: "Twenty-four years of age, Protestant in religion, not vicious in life, but honest and of good conversation, taxable estate at twenty pounds, and taking an oath of allegiance to his majesty." If such qualifications were now required, how many men in New Hampshire would be voters to-day?

The Standard and Captain Ashe.

The Raleigh Standard asserts that "The County of New Hanover is misrepresented in the House of Representatives by one Ashe." The gentleman referred to is, of course, Capt. S. A. Ashe, one of our worthy Conservative Commons.

The Standard might have gone a little farther and attempted a comparison between either of the carpet-baggers who were nominally from this country—Geo. Z. French and L. G. Estee—who, without any claims or qualifications whatever to the position, were ushered into place by negro votes and on a platform, the most popular plank of which was a malicious hostility to the decent white people of the county. We say that the Standard might have attempted this comparison; it could have made none, for there can be no comparison between Captain Ashe and the parties we have named. The attempt to make it would only have resulted in a contrast that would not prove at all favorable to the Radical representatives.

And now let us see. The editor of the Standard is a political pilgrim from Massachusetts, who floated down into North Carolina, in 1865, for the undoubted purpose of making or stealing all that he could from either the honest people of the State or from the ignorant negroes, whose interests he proposed to look after. He came here as a preacher, and if he is the standard of religion among the godly puritans of Massachusetts, we thank God that we have none of it. He has long since thrown aside the cloak of religion and has sold himself, body and soul, to Holden and the Devil.

Captain S. A. Ashe is a young man and, thus far, of as unimpeachable record as any one in the State can show. He was elected to his present position by the votes of the permanent white inhabitants of New Hanover county, those who own at least nine-tenths of the real estate in the county and who should, therefore, be able to select an honest man to represent them. He is the worthy descendant of one of the most worthy and illustrious families in the South. His great ancestor, Col. John Ashe, first made the name heroic on the Cape Fear, when, in 1766, he and Col. Hugh Waddell, of Brunswick, each with a Company behind him, many of them the ancestors of some of our present leading citizens, refused to permit a British sloop-of-war to land here a cargo of stamps for the Colonies, under the enforcement act of the British Parliament. From that time to this, the name of Ashe has been a synonym, on the Cape Fear, for everything that is true, noble, manly and honest, and those who bore it have repeatedly held offices of high trust—the gift of the people, Capt. Ashe's father, Hon. Wm. S. Ashe, having represented the State in the United States Congress and being, at the time of his death, President of the Wilmington and Weldon Railroad.

For more than one hundred years past the Ashe family have resided on the Cape Fear, and no one has ever yet cast a stone at them until the advent of this pious bomber from Massachusetts—a political fungus of a night's growth that dares to raise its head to the oak of a hundred years and say to it, "What dost thou here?"

We beg Capt. Ashe's pardon for thus coupling his name, in public, with that of such a specimen of humanity as is this Ashley. The truth, and the secret of the Standard's animosity, can probably be found in the fact that Capt. Ashe is one of those who are opposed to the State's paying Ashley and his family \$4,000 per annum for services that have not only proved of no value, but have actually been detrimental to its welfare and interests. We all know that.

"No rogue ever felt the halter draw With good opinion of the law."

Dread War.

The horrors of war are not all visible on the battle field, but must be looked for in the domestic life of the two countries engaged in the fight. And not only do the invaded suffer, but the invaders, too, must oftentimes feel the penalties of want and destitution. Thus, the suffering in Germany, as well as in France, is reported as very great. A German paper states that in the province of Westphalia, at the beginning of October, there were 11,817 married women, the wives and widows of soldiers, together with 22,713 children obtaining relief from the public funds. In Hanover, 9,624 women and 26,418 children were dependent upon the public for support. In the Rhenish provinces there were 14,312 married women and 29,616 fatherless children who were utterly destitute. Thus, in only three Prussian provinces, there were, last October, 35,753 women and 78,750 children in a condition of misery and want, and it is believed that destitution to the same extent prevails in the other provinces of Prussia. The price of provisions is extraordinarily high. If this be the condition of Germany, what must be that of France, whose territory has been invaded by an army of more than half a million of men.

General Amnesty.

It strange that while a number of the most influential of the Northern press have

declared, unequivocally, for an act of general amnesty by the present Congress that the "truly loyal" in the South are, as yet, bitterly opposed to any forgiveness whatever being extended to unrepentant rebels. The New York Tribune, acknowledged as the leading Republican organ in the country, has declared most positively for the extension of Congressional clemency, as has the New York Times and other leading Republican papers in the Northeast. Yet the carpet-baggers and scoundrels in this State refuse to endorse the plank placed in the party platform by Mr. Greeley, and still cry out, through their organ, the Standard, for punishment, to the debt, of those who oppose them in their political schemes. All who are willing to exist in the South under the rule of unscrupulous men, or who are themselves of so little principle as to desire to purchase their own advancement at the price of individual integrity, can easily enough receive a pardon manifesto.

But the opposite attitudes of Northern and Southern Radicals admit of solution by the fact of selfishness and greed of power and office as respectively developed. The old bulk of Radicalism is fast going to pieces amid the overwhelming billows of popular outcry and repudiation. We do not pretend to attribute to the Northern Radicals any unselfishness or sense of justice in their action. It has its name in other terms—those of political necessity. To bind together the timbers of the party bulk by auxiliary aid and the demand of public sentiment, universal amnesty is upheld as a scheme for the retention of power, upon which political life depends. In an opposite direction does the unprincipled greed and aspiration of the horde at the South manifest itself. Amnesty with them is but the death knell of their chances for preferment. Intelligence and a virtue once restored to their former elevation and removed from the band; all the good and true and honest men of the South once again permitted to hold office; the mercenary, unjust and unprincipled political corruption ended, then good-bye forever to the carpet-bagger's party, the scoundrel's reward for his apostasy, and their official existence. These are the motives and these the principles of opposition to amnesty among the Radicals of the South. But let them take care that while they endeavor to perpetrate their individual greed, the charge of disloyalty to their national party is not made against them, and political punishment visited accordingly.

But selfish or unselfish, tricksters or just politicians, the Northern Radical journals and supporters are correct in their interpretation of the signs of the times. Too long, as an act of generally recognized justice, has this amnesty been deferred, and to mitigate and, if possible, avert the verdict of condemnation for the criminal refusal to extend it, its passage now is mooted and favored as a proper measure. Amnesty has become an unmistakable necessity; outraged public sentiment is dictating it, and woe to the party in power if they refuse. It must come—no human opposition can avert it; and responsibility and consequent punishment for its long deference is almost certain.

Legislature of North Carolina.

SENATE.

SATURDAY, Dec. 10.

INTRODUCTION OF BILLS.

By Mr. Graham: Bill to incorporate the Yanceyville, Danville and Confield Railroad Co., referred to the committee on Internal Improvements.

By Mr. Tracy: Bill to incorporate the Fayetteville Independent Bank Company, referred to the committee on Corporations.

By Mr. McClammy: Bill to amend section 16, title 4, chapter 1 of the Code of Civil Procedure; referred to the committee on the Judiciary.

By Mr. Jones: Bill to incorporate the Hebrew Benevolent Society of the City of Charlotte; referred to the committee on Corporations.

By Mr. Murphy: Bill concerning divorce; referred to the committee on the Judiciary.

RESOLUTIONS INTRODUCED.

By Mr. Adams, resolution of enquiry of Governor Holden relative to his authority to declare a county in a state of insurrection, as to troops being sent into certain counties, by whose orders, how many, what were they paid, if paid, how much, and what money was used, &c., which was laid on the table.

On motion of Mr. Currie the vote by which the Senate rejected the bill fixing the per diem and mileage of officers and members of the General Assembly at \$7 for speakers, \$5 for members, \$5 for Principal and Assistant Clerks, \$5 for Enrolling and Engrossing Clerks, \$5 for Doorkeepers and Assistants, and 20 cents mileage in addition to the whole, was reconsidered.

John Hyman, (col.) called the previous question on the passage of the bill, which was sustained, and it passed by the following ballot:

The President designated the Senate Branch of the Committee on Constitutional Reform to consist of Messrs. Cook, Latham, Linney, Moore and Hyman, (col.) Leave of absence was granted to Mr. Graham until Thursday, and to G. W. Price, (col.) until Tuesday.

On motion of Mr. Allen, the rules were suspended, and the bill to repeal an act entitled "An Act to secure the better protection of life and property," (Slofner) was taken up.

Mr. Moore spoke at some length in opposition to the bill.

Mr. Jones called the previous question on its passage, which was sustained, and the bill passed its first reading by the following ballot:

YEAS—Messrs. Adams, Albright, Allen, Battle, Cook, Council, Cowles, Crowell, Currie, Dargan, Fleming, Gilmer, Graham, Jones, Latham, Ledbetter, Linney, Love, Manley, McClammy, McCreedy, McCreedy, Murphy, Norman, Robbins, of Rowan, Speed, Troy, Waddell, Warren, Whitesides and Worth—31.

NAYS—Messrs. Beasley, Eppes, (col.) Hyman, (col.) Lassiter, Lehman, Moore and Olds—7.

The following resolutions were taken up, as follows:

Resolution requesting the Representatives of this State in Congress to use their influence to secure aid for the purpose of creating an educational fund, from the sale of Public Lands, was postponed till Tuesday next, and made a special order for the day.

Resolution proposing to raise a joint committee of 8, composed of 3 on the part of the Senate and 5 on the part of the House, to inquire into the expediency of establishing three courts per year in each county, was postponed.

Resolution authorizing the General Assembly to take recess from and after 22d of December, was adopted.

Message was received from the House transmitting the following bills and resolutions to-wit:

Bill to repeal an act in relation to taking fees from the Northeast branch of the Cape Fear river, was adopted.

Resolution in relation to an act that

provides for the completion of the Western North Carolina Railroad, was adopted.

Resolution proposing to take recess from 22d Dec. to 1st Jan. 1871, and providing that the members shall receive no per diem during said recess; was adopted.

Bill fixing per diem and mileage of officers and members of the General Assembly; referred.

THIRD READING OF BILLS.

Bill to authorize the transfer of certain cases pending in the late Court of Equity, passed.

Bill requiring Sheriffs and Coronors to give notice to parties in whose favor they may have process for collecting money; passed.

Bill to consolidate the North Carolina and the North Western North Carolina Railroad Companies.

Mr. Merrimon moved an amendment including the Western Division of the Western North Carolina Railroad.

Pending its consideration the Senate adjourned.

HOUSE OF REPRESENTATIVES.

MONDAY, Dec. 12, 1870.

By Mr. Jones of Caldwell. A resolution concerning the University of North Carolina; referred.

By Mr. Morris: A resolution in regard to a system of public instruction; referred.

Mr. Martin, of Carteret, introduced the following resolution: That the Legislature make an appropriation of two thousand dollars (\$2,000) for the construction of a State Marine Hospital at Beaufort Harbor.

Whereas, said hospital is not unfinished, and not likely to be completed; and whereas, the State owns a boat in said Harbor, known as the Hospital boat, and whereas, sundry sums of money have been paid out of the State Treasury for the avowed purpose of "keeping" said boat.

Resolved, 1st, That the Committee on Finance be instructed to enquire into this matter, and ascertain, if possible, to whom the appropriation for the construction of said hospital was paid, and the present condition of the building.

Resolved, 2d, That said committee be directed to enquire whether or not it is expedient to keep a boat for hospital purposes when no hospital really exists.

Resolved, 3d, That said committee report to the General Assembly at an early day, by bill or otherwise.

The resolutions were read and placed on the calendar.

By Mr. Strudwick: A resolution requiring the Auditor to furnish an itemized statement of that portion of the Treasurer's report which covered the head of "Contingencies." Placed on calendar.

On motion of Mr. Waring the rule was suspended and the report of the Committee on Printing was taken up.

The report states that a contract has been entered into with James H. Moore, of the printing office of Raleigh, on a basis of 75 cents per thousand and for plain work.

Mr. Waring stated that the Committee had advised with the leading printing establishments of the city, upon the proper price to be paid for the different kinds of plain work, and had likewise most carefully examined into the prices heretofore paid, and had closed a contract by which the printing would be done cheaper than even in *ante bellum* days. The old way of counting by book measure was done away with, and the printing would be paid for by actual measurement by the thousand. He (Mr. W.) had resisted this contract, because he thought 75 cents per thousand too little, when paid by actual measure; he was in favor of 90 cents per thousand. He thought the contract too cheap, and it would do away with the wages of printers; he wished labor to be fairly compensated. If the House would be at all economical in their printing orders, the public printing would, at an enormous estimate, not exceed \$8,000 per annum, whereas last year it cost the State \$28,000.

After a short debate the report of the Committee was concurred in and the following resolution, which accompanied the report, passed its second reading:

Resolved, That no printing of the State by any person or persons who have contracted to do the public printing shall be paid for out of the public money; Provided, That the Standard of the State shall be paid for out of the public money, and that the Standard be printed (and performed) before the abolition of the office of State Printer, and this resolution shall be in force from the abolition of said office.

A communication was read from the Attorney General in reference to the rights of the State in the Wilmington, Charlotte and Rutherford Railroad under existing laws. The communication was in relation to compliance with a resolution of the House asking the opinion of that officer in regard to the above mentioned matter. The document was ordered to be printed.

On motion of Mr. Robinson, the rules were suspended and the bill in reference to the City of the Capital was taken up. (The bill takes away the appointment of Keeper of the Capitol from the Board, created by sec. 2, chap. 103 Revised Code, and makes the office elective by the Legislature on the 4th Wednesday of each and every session.)

By Mr. Merrimon: Bill to punish officers and agents of Railroad Companies for embezzlement of public moneys; referred to the committee on the Judiciary.

This bill makes it felony, punishable with three years confinement at hard labor in the Penitentiary, and fine not less than one thousand dollars for any President, Treasurer, Director, Agent or Superintendent of a Railroad Company in this State, who shall embezzle, or in any way directly or indirectly, to apply the money, bonds or other property of such road to his own use or benefit, or for the use or benefit of himself or any other person, State or corporation.

It also makes it a felony, punishable above, for any such officer or agent to combine, collect or conspire with any other person or persons to embezzle or apply to his own use or benefit, or for the benefit of himself or any other person any money, bonds or other property of any such road.

The following resolutions were taken up under the rule, to-wit:

Whereas, Neither justice, sound policy or the public welfare can be promoted by the sanction of combinations to defraud the people; and whereas, in the opinion of the General Assembly, the people of North Carolina have a settled conviction that the enormous appropriations made and squandered by the late Convention and General Assembly in the years 1868, '69 and '70, were conceived in fraud and consummated in corruption, and for that reason there is neither moral, constitutional or legal obligation binding the State to pay them, therefore be it

Resolved, That the Committee on the Judiciary be instructed to bring in a bill consolidating all the debts due by the State of North Carolina prior to the 1st of January, 1868, and to provide for the payment of the same on and after the 1st of July, 1870, with interest thereon at 3 per cent per annum, payable semi-annually at the Treasury of North Carolina, in gold.

Olds moved to amend by striking out the preamble, which was voted down.

Mr. Jones moved to amend by striking out the following, to-wit:

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